

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MOSHE LEFKOWITZ,  
Plaintiff,

v.

WALTER REISSMAN, MARKETWISE  
TRADING, INC., BLACKRIVER  
PETROLEUM, LLC, SADDLE RIVER  
CAPITAL CORP., DOES 1-10, and  
CORPORATE DOES 1-10,  
Defendants.

CIVIL ACTION  
NO.: 12-cv-8703-RA-DCF

**DECLARATION OF SAMUEL KARPEL, ESQ. IN SUPPORT OF  
PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT  
AGAINST DEFENDANT BLACKRIVER PETROLEUM, LLC**

I, Samuel Karpel, an attorney admitted to practice before this Honorable Court, and the Courts of the State of New York, hereby declare the following:

1. I am an Associate at the law office of Mendel Zilberberg & Associates, P.C., counsel to the Plaintiff Moshe Lefkowitz.
2. Attached to this Affirmation as Exhibit 1 is a true and accurate copy of the Plaintiff's Amended Complaint, dated April 18, 2014.
3. Attached to this Affirmation as Exhibit 2 is a true and accurate copy of the Defendant Blackriver Petroleum, LLC's Answer to Plaintiff's Amended Complaint, dated March 28, 2014.
4. Attached to this Affirmation as Exhibit 3 is a true and accurate copy of the Plaintiff's First Set of Interrogatories Propounded Upon The Defendant Blackriver Petroleum, LLC, dated September 3, 2014.

5. Attached to this Affirmation as Exhibit 4 is a true and accurate copy of the Defendant Blackriver Petroleum, LLC's Response to Plaintiff's First Set of Interrogatories Upon The Defendant Blackriver Petroleum, LLC, dated October 15, 2014<sup>1</sup>.

6. Attached to this Affirmation as Exhibit 5 is a true and accurate copy of an "Account QuickReport" from Blackriver Petroleum, LLC's Quickbooks accounting records produced within Exhibit G of Defendant Blackriver Petroleum, LLC's Response to Request for Production of Documents.

7. Attached to this Affirmation as Exhibit 6 is a true and accurate copy of an Asset Purchase Agreement between Blackriver Petroleum, LLC as seller, and Ameroil Corp., as purchaser dated April 30, 2009, produced within Exhibit H of Defendant Blackriver Petroleum, LLC's Response to Request for Production of Documents.

8. Attached to this Affirmation as Exhibit 7 is a true and accurate copy of Plaintiff's First Request for Admissions To Defendant Blackriver Petroleum, LLC, dated January 13, 2014.

9. Attached to this Affirmation as Exhibit 8 is a true and accurate copy of Defendant Blackriver Petroleum, LLC's Response to Plaintiff's First Set of Requests for Admission<sup>2</sup>.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 8, 2014.

  
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SAMUEL KARPEL

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<sup>1</sup> The Defendant's Response to Interrogatories does not set forth the individual interrogatories, therefore, in order to cross-reference each response and interrogatory, the Plaintiff's First Set of Interrogatories are provided.

<sup>2</sup> The Defendant's Response to Request for Admission does not set forth the individual requests, therefore, in order to cross-reference each response and request, the Plaintiff's Request for Admission are provided.

**CERTIFICATE OF SERVICE**

I hereby certify that on August 8, 2014, I electronically filed the foregoing document using the CM/ECF system which will send notification of such filing to the e-mail addresses registered in the CM/ECF system, as denoted on the Electronic Mail Notice List, and I hereby certify that I have also caused to be mailed a paper copy of the foregoing document via the United States Postal Service to the Defendants' counsel.

  
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SAMUEL KARPEL